

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Reverend Franklin C. Reaves, Fannie)
Melette, Michael Small, David Fraizer,)
Lamar Melette, Patricia Bennett, Joseph)
Bennett, Bobby G. Snowden, Franklin M.)
Snowden, Kenakenoa N. Godboat, Patricia)
Brunson, McArther Brunson, Zuynetra)
Brunson, McRoy Barr, Marshall Rainey,)
Willie Johnson, Jerry Mason, and all others)
similarly situated,)

Plaintiffs,)

vs.)

Civil Action No. 4:04-2047

South Carolina Democratic Party, South)
Carolina Election Commission, Dillon)
County Election Commission, Marlboro)
County Election Commission, Marion)
County Election Commission, The State)
of South Carolina, Florence County)
Election Commission,)

Defendants.)

ORDER

This matter is before the Court upon plaintiffs’ outstanding motions to stay pending appeals to the Fourth Circuit Court of Appeals (Docs. #72, #80), “for a three-judge court” (Doc. #70), “to reinstate all person elected, appointed, employed prior to the 2004 election” (Doc. #77), “to set aside elections and remove those person elected to office in Dillon County, Florence County, Marlboro County, Marion County” (Doc. #78), and “to rule null and void all votes and acts of Kent Williams

et al elected in the 2004 election” (Doc. #79), and defendants’ outstanding motions to dismiss (Doc. #90, #91). On August 28, 2006, United States Magistrate Judge Thomas E. Rogers, III, to whom this case had previously been assigned issued a Report and Recommendation in this case. (Doc. #116). No party in this action filed objections to the Report.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge’s Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The Court has carefully reviewed the Magistrate Judge’s Report and Recommendation. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge’s Report and Recommendation is **ACCEPTED** (Doc. #116). Accordingly, plaintiffs’ motions to stay are **DENIED** as moot (Docs. #72, #80), plaintiffs’ motion for a three-judge court is **DENIED** as redundant and repetitive (Doc. #70), plaintiffs’ motions “to reinstate all person elected, appointed, employed prior to the 2004 election” (Doc. #77), “to set aside elections and remove those person elected to office in Dillon County, Florence County, Marlboro County, Marion County” (Doc. #78), and “to rule null and void all votes and acts of Kent Williams et al elected in the 2004 election” (Doc. #79) are **DISMISSED**, and defendants’ motions to dismiss (Docs. #90, #91) are **DENIED** at this time with the Court reserving right to reconsider the motions upon addressing the merits of this action under Fed. R. Civ. P. 56.

IT IS SO ORDERED.

S/ Terry L. Wooten

Terry L. Wooten
United States District Judge

September 20, 2006
Florence, South Carolina